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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,224	03/19/2001	Rodney Daughtrey	09765-012001	9468
26161	7590	05/16/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			DIXON, THOMAS A	
			ART UNIT	PAPER NUMBER
			3639	
DATE MAILED: 05/16/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,224

Applicant(s)

DAUGHTREY, RODNEY

Examiner

Thomas A. Dixon

Art Unit

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The arguments of the appeal brief regarding the technological arts rejections are convincing. The finality of the previous rejection is withdrawn.
2. New corrected drawings and specification changes, filed 05/02/2005 are acceptable.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are drawn to an "interface" and the "interface" is not seen to be a proper statutory class of invention.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6, 8-9, 12-17, 19-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanner (WO 01/59590).

As per Claim 1.

Tanner (590) discloses:

a fare evaluation result table that displays fare rule summaries for fares in slices of an itinerary, the fare evaluation table having a first one of rows and columns representing fares (Base Fare) and a second one of rows and columns representing the fare rule summaries, see figure 4B (Fare basis) and 8A (Fare basis).

As per Claim 2.

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Tanner (590) further discloses the table is comprised of rows that represent fares, see figure 3, Adult, Approx. Tax, Total and columns that represent rule summaries, see rules.

As per Claim 3, 22, 30.

Tanner (590) further discloses the columns also represent price, see figures 3, Adult, Approx. Tax, Total.

As per Claim 4, 23, 31.

Tanner (590) further discloses the columns represent fare combinability restrictions, see figure 4B and 8A, QBNRH X in which Q represents "controlled", R represents "Round-trip No Restrictions", X represents "weekday" (according to the FAREDEX Translation Table of columns 10 and 11 of Whitesage ('523)).

As per Claim 5, 24, 32.

Tanner (590) further discloses the categories pass or fail, see figure 3, Avl column.

As per Claim 6, 25, 33.

Tanner (590) further discloses unique visual indicators, see figure 3.

As per Claim 8, 9, 16, 35, 37.

Tanner (590) further discloses a status of complete (Avl), incomplete (n/a), see figure 3.

As per Claim 12.

Tanner (590) further discloses a user query region that enables a user to enter information for a set of slices or trip segments, see figure 3.

As per Claim 13.

Tanner (590) further discloses the query region includes fields to specify origins and destination cities and a time window, see figure 3.

As per Claim 14.

Tanner (590) further discloses the query region includes fields to specify different parameters that control which fares and which airlines are examined, see 3.

As per Claim 15.

Tanner (590) discloses:

 parsing a query to provide at least one city pair corresponding to an origin and a destination, see figures 4B (From/To) and 8A (From/To);

 retrieving fares and fare rules for each city pair over a time period set in the query, see figures 4B (Fare basis) and 8A (Fare basis);

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evaluating the retrieved fares against the retrieve rules and returning a status corresponding to pass, fail, see figure 4A (Avl);
producing a summary of the results of the rules the summary indicating the status of each category of rules, see figure 7B; and
displaying the summary on a user output device, see figures 4A-B, 8A.

As per Claim 17, 29, 38.

Tanner (590) further discloses the table is comprised of rows that represent fares, see figure 3, Adult, Approx. Tax, Total and columns that represent rule summaries, see rules.

As per Claim 19.

Tanner (590) discloses:
populating a summary table of evaluating fare rules and fares with a summary table indicating the status of the rules for each category of rules, see figure 4B and 8A; and
render the summary on an output device, see figures 4B and 8A.

As per Claim 20.

Tanner (590) further discloses the table is comprised of rows that represent fares, see figure 3, Adult, Approx. Tax, Total and columns that represent rule summaries, see rules.

As per Claim 26.

Tanner (590) further discloses populating a summary table with a status of the summary, see figure 4B and 8A; and
rendering the summary on an output device, see figures 4B and 8A.

As per Claim 27.

Tanner (590) further discloses populating a summary table of evaluating fare rules and fares with a summary table indicating the status of the rules for each category of rules, see figure 4B and 8A; and
rendering the summary on an output device, see figures 4B and 8A.

As per Claim 28.

Tanner (590) discloses:
rendering a fare evaluation result table that displays fare rule summaries for fares in slices of an itinerary, the fare evaluation table having a first one of rows and columns representing fares (Base Fare) and a second one of rows and columns representing the fare rule summaries, see figure 4B (Fare basis) and 8A (Fare basis).

As per Claim 34.

Tanner (590) further discloses a status of the summary and unique visual indications, see figure 3 (Avl), (n/a).

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As per Claim 36.

Tanner (590) discloses:

parsing a query to provide at least one city pair corresponding to an origin and a destination, see figures 4B (From/To) and 8A (From/To);
retrieving fares and fare rules for each city pair over a time period set in the query, see figures 4B (Fare basis) and 8A (Fare basis);
evaluating the retrieved fares against the retrieve rules and returning a status corresponding to pass, fail, see figure 4A (Avl);
producing a summary of the results of the rules the summary indicating the status of each category of rules, see figure 7B; and
displaying the summary on a user output device, see figures 4A-B, 8A.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 18, 21, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanner (WO 01/59590) in view of Kirk (5,768,578).

As per Claim 18.

Tanner (590) further discloses the cells of the table represent pass, fail or defer status, see (Rules);

Tanner (590) does not disclose applying a color to cells of the table with the color scheme signifying whether the cell corresponds to pass, fail or defer status.

Kirk ('578) teaches the display of different color, underline or italics in a document with a mixture of text, graphics and hyperlinks, see column 26, lines 47-55 to distinguish the colored portions to attract the user's attention.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to distinguish areas in a presented page by different color, underlining, or typeface as taught by Kirk ('578) to distinguish text to attract the user's attention.

As per Claim 21, 39.

Tanner (590) further discloses the table where rows represent fares, see figure 3 (avl).

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Tanner (590) does not disclose applying a color to cells of the table with the color scheme signifying whether the cell corresponds to pass, fail or defer status.

Kirk ('578) teaches the display of different color, underline or italics in a document with a mixture of text, graphics and hyperlinks, see column 26, lines 47-55 to distinguish the colored portions to attract the user's attention.

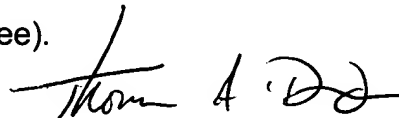
Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to distinguish areas in a presented page by different color, underlining, or typeface as taught by Kirk ('578) to distinguish text to attract the user's attention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas A. Dixon
Primary Examiner
Art Unit 3639

May 06